IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

THURSDAY, THE 14TH DECEMBER 2006 / 23RD AGRAHAYANA 1928

WP(C).No. 33333 of 2006(R)

PETITIONER:

C.P.VENUGOPALAN,
AGRICULTURAL OFFICER,
KRISHI BHAVAN, ALAYAMON, KOLLAM.

BY ADV. SRI.G.BHAGAVAT SINGH

RESPONDENTS:

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1. THE DIRECTOR OF AGRICULTURE,
DIRECTORATE OF AGRICULTURE,
VIKAS BHAVAN, THIRUVANANTHAPURAM.

2. THE PRINCIPAL AGRICULTURAL OFFICER,
KASARAGOD.

BY GOVT.PLEADER SRI.P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO. 33333 of 2006

Dated this the 14th day of December, 2006

JUDGMENT

The petitioner is working as Agricultural Officer at Alayamon in Kollam District. Ext.P5 notice was issued to the petitioner directing him to remit Rs.16,916/= within ten days, failing which he will be subjected to recovery from his salary. Against Ext.P5, the petitioner filed Ext.P6 representation on 8.11.2006. On receipt of Ext.P6, the second respondent passed Ext.P7 order requesting the first respondent to initiate disciplinary action against the petitioner and to direct him to remit the amount mentioned in Ext.P5. Feeling aggrieved,he has filed Ext.P8 representation before the first respondent bringing to the notice of the first respondent, the facts within his knowledge and maintaining the stand that he is not liable to remit the amount mentioned in Ext.P5. The petitioner apprehends that he is likely to be proceeded against without considering the explanation offered by him.

2. I have heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

3. Interest of justice requires that before taking further action, the first respondent shall consider Ext.P8. If necessary, he shall call for the relevant records and peruse the same.

4. The writ petition is disposed of directing the first respondent to pass orders on Ext.P8, as stated above. Till then, further proceedings pursuant to Exts.P5 and P7 shall be kept in abeyance. The petitioner shall produce a copy of the judgment before the first respondent along with a copy of the writ petition.

K.K.DENESAN, JUDGE

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